
Public Notice

Applicant:

Akron General Health Systems

Date:

Published: January 31, 2003

Expires: March 1, 2003

U.S. Army Corps**of Engineers****In Reply Refer To:****Buffalo District CELRB-TD-R RE: 2002-02368(0) Section: OH 404**

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Akron General Health Systems, 400 Wabash Avenue, Akron, Ohio 44307, is proposing to develop 140,000 sq. ft. health and wellness center with a proposed 30,000 sq. ft. future addition on a 15 acre parcel of land located in the City of Stow, Summit County, Ohio. The project site is located on Lake Point Corporate Drive west of Allen Road and north of Steels Corners Road. The health and wellness center would be used for physical therapy, diagnostic services, physician offices, radiology and exercise. The center would include a swimming pool used for therapy and exercise. It would be constructed in two phases. The first phase would involve the construction of 140,000 sq. ft. building with patient drop off area and 608 parking spaces. The second phase would involve a 30,000 sq. ft. addition to the existing building and an additional 36 parking spaces added.

The applicant is seeking authorization from the Department of the Army to fill 0.52 acres of Federal jurisdictional wetlands and 0.674 acres of open water that are part of the Lower Cuyahoga River watershed. The previous owner of the site, Seibert Development, filled 0.31 acres of wetland in 2000-2001 under Department of the Army Nationwide Permit No. 26 (Application #2000-00206 (0)).

To compensate for the impacts on the Federal jurisdictional wetland and waters of the US, the applicant is proposing to purchase 1.5 acres of wetland credits from the Grand River 1 Wetland Mitigation Bank located in Ashtabula County. The service area for the mitigation bank includes the Cuyahoga River Watershed.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Richard J. Ruby, who can be contacted by calling (716) 879-4109, or by e-mail at: richard.j.ruby@lrb01.usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Richard J. Ruby, or by e-mail at: richard.j.ruby@lrb01.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

OUTGRANT: DACW35-1-03-1002
PROJECT: Mount Morris Dam and Reservoir Project
GRANTEE: Genesee Valley Audubon Society

**ENVIRONMENTAL BASELINE STUDY (EBS)
PROPOSED REAL ESTATE OUTGRANT**

1. Proposed Outgrant Action:

The Genesee Valley Audubon Society, a non-profit organization, is proposing to use House No. 1 (the one and one-half story dwelling) at the Mount Morris Dam and Reservoir Project for office and tourist operations. There will also be some additional display space allocated in the Corps of Engineers Visitor Center, and a small demonstration wetlands on property close to the house is planned for interpretive and environmental education purposes. The leasing of the house to the Genesee Valley Audubon Society is an integral part of a plan to promote tourism to the Dam, enhance it's environmentally friendly image, and increase passive recreation opportunities to the public.

2. A Records Search included a review of the following:

- Property Utilization Report for Mount Morris Dam and Reservoir, Detroit District, August 1994
- Site Inspection of August, 1994; Supplemental report of August 1996; Site inspections of September 1999 and 15 February 2001.
- Executive order 12512, Detroit District, 1993
- Mount Morris Dam Master Plan, prepared for the Buffalo District by URS Greiner Consultants, Inc., June 1998.
- Outgrant files and reports for the New York State Office of Parks, file NO. DACW22-3-54-1001.
- Genesee State Park and Recreation Commission 1974-75 Annual Report, State of New York, 1975.

3. Review of Photos:

- Air photos taken in conjunction with the Mount Morris Dam brochure, 1991.
- Extensive ground photos taken at detailed site inspections and for the Executive Order Survey, 1993, 1994, 1998, 1999 and 2002.

4. Site Inspection:

- Detailed site inspections, 1993, 1994, 1999 and 2002.
- Last Executive order, Detroit District 1993.

5. Based on a record search, review of aerial photos, site inspection and knowledge of the project area, the following information is provided:

a. Current use and Site History:

The Mount Morris Dam and Reservoir Project is located on the Genesee River in Livingston and Wyoming Counties, in central New York State, two miles west of the town of Mount Morris. The Dam and Reservoir Project consist of a total of 3,821 acres owned in fee and 12.28 easement acres. The dam was built of concrete in the late 1940's and early 1950's and is 215 feet in height with a length of 1,028 feet. The dam is located on Federal property adjacent to Letchworth State Park. The primary mission and purpose of the project is to prevent the Genesee River from flooding the agricultural lands and developed areas between the dam site and the City of Rochester. The Corps of Engineers Mount Morris Project Office is responsible for the operation and maintenance of the dam.

Except for 25 acres that constitute the dam operation facilities, the remaining 3,797 fee acres are outgranted to the Division of Parks, State of New York for public park purposes. Besides the dam structure, there are several other structures including a newly constructed visitor center, maintenance building with garage addition, a frame office building, a metal pole barn, a storage building, an operation's tower and two dwellings, both with attached garages.

The smaller of the two dwellings is the structure being outgranted (the larger of the dwellings [House No.2] was recently leased to the Finger Lakes Trail Conference as an office and visitor's center). As constructed, House No. 1 has 1,365 square feet plus a single car garage. The garage area--now used as storage space--is approximately 280 square feet. Hence, the total size of the structure including the garage is approximately 1,645 square feet. The dwelling had been previously used as a residence for the dam superintendent/caretaker. Since late 1997, the structure has been empty, but has been kept in a clean and satisfactory condition by the Mount Morris Projects Office personnel.

The dwelling is heated with oil forced air heat. Recent repairs have been made to the heating system. The former garage

area is not heated. The structure has a basement and has a 125 amp electric service with circuit breakers. The ground areas have been maintained by Corps personnel. Several interior build out items will be performed before the Society moves into the structure, including a new window(s), shelving, handicap accessibility and alterations of room dimensions to make it more adaptable to meeting space. A small demonstration wetlands is planned in an area in close proximity to the house to provide interpretive and environmental education opportunities to the visiting public.

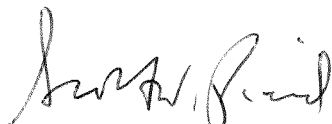
b. Environmental Findings:

() There is no evidence that this property has been a site of disposal or release of any hazardous substances.

(X) There is no evidence that this property has been a site of disposal or release of any hazardous substances. In addition, there is no evidence that the "threshold" for reporting the storage of hazardous substances has been exceeded.

() There is evidence that this property has been a site of disposal or release of a hazardous substance and/or that the thresholds for reporting the storage of hazardous substances has been exceeded.

THOMAS E. DZIADOSZ (date)
Chief, Management
and Disposal Branch
Real Estate Division
Detroit District

 6/9/03

SCOTT PICKARD (date)
Environmental Compliance Officer
Operations and Technical Support Section
Technical Services Division
Buffalo District